

**State Board of Cosmetology and Barber Examiners**

**January 9, 2012**

**MINUTES**

**Indiana Government Center-South  
402 West Washington Street, Conference Center Room 18  
Indianapolis, Indiana**

**COMMITTEE MEETINGS**

**10:00 a.m.**

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**CALL TO ORDER & ESTABLISHMENT OF QUORUM**

D. Demuth called the meeting to order at 1:00 p.m. and established a quorum pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting

**Board Members Present:**

David Demuth, President  
Diane Weisheit, Vice President  
Diana Bonn  
Gary Odell  
Joseph Barsic  
Rebecca Bushong

**State Officials Present:**

Tracy Hicks, Board Director, Indiana Professional Licensing Agency  
Rae Harman, Assistant Director, Indiana Professional Licensing Agency  
Philip Thompson, Board Advisory Counsel, Office of the Attorney General

**I. ADOPTION OF THE AGENDA**

The January 9, 2012 agenda was adopted.

Bonn/Weisheit  
6/0/0  
Motion carried.

**II. ADOPTION OF THE MINUTES FROM THE NOVEMBER 21, 2011 MEETING OF THE STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

The minutes of the November 21, 2011 meeting were approved.

Weisheit/Bonn  
6/0/0  
Motion carried.

**IV. OLD/NEW BUSINESS**

**A. Election of Officers for 2012**

A motion was made and seconded to elect officers for 2012 as follows.

David Demuth – President  
Diana Weisheit – Vice President  
Rebecca Bushong – Secretary

Bonn/Weisheit  
6/0/0  
Motion carried.

**B. Administrative Hearings, 1:00 p.m.**

1. Administrative Hearing In the Matter of Hoang M. Do, MA20300511, SBCE 07-55

Hearing was held. A motion was made and seconded to suspend the license indefinitely with no right to petition for reinstatement for a period of six months, and shall pay the cost of the proceedings.

Weisheit/Bonn  
6/0/0  
Motion carried.

2. Administrative Hearing in the Matter of Cutting Loose & Curling Up, BS30300214, SBCBE 11-55

Hearing was held. A motion was made and seconded to find Respondent in Default and to suspend the license indefinitely with no right to petition for reinstatement for a period of one year, impose costs of proceedings, impose a fine of \$1000.00 for each of the two violations, and impose the \$5 Office of the Attorney General fee.

Bonn/Weisheit  
6/0/0  
Motion carried.

3. Administrative Hearing in the Matter of Studio One, BS30500156, SBCBE 11-71

Hearing was held. A motion was made and seconded to issue a Default order.

Bonn/O'Dell  
6/0/0  
Motion carried.

A motion was made and seconded to find Respondent in violation of counts I and II, impose fine of \$1000.00 per violations, impose costs of proceedings and the Office of the Attorney General \$5 fee, and place the license on probation indefinitely with no right to petition for removal of probation for a period of one year. R. Bushong voted against the motion.

Weisheit/Bonn  
5/1/0  
Motion carried.

4. Administrative Hearing in the Matter of Kathryn J. Doane, BC29301456, SBCBE 11-72

Hearing was held. A motion was made and seconded to place Respondent's license on indefinite probation with no right to petition for reinstatement for a period of one

year, impose the \$5 Office of the Attorney General, impose a fine of \$500.00 for one count to be paid within 6 months, and impose the cost of proceedings.

Weisheit/Bonn  
6/0/0  
Motion carried.

5. Administrative Hearing in the Matter of Chris Walker, BA09100060, SBCBE 11-75

Hearing was held.  
A motion was made and seconded to find Respondent in Default.

Bonn/Bushong  
6/0/0  
Motion carried.

A motion was made and seconded to place Respondent's license on indefinite suspension with no right to petition for reinstatement for a period of one year, impose the \$5 Office of the Attorney General, impose a fine of \$1000.00 for two counts to be paid within 6 months, and impose the cost of proceedings.

Barsic/Weisheit  
6/0/0  
Motion carried.

6. Administrative Hearing in the Matter of Michael Anthony Halliburton, BA19700068, SBCBE 11-104

A motion was made and seconded to issue a notice for proposed default.

Bonn/Bushong  
6/0/0  
Motion carried.

7. Administrative Hearing in the Matter of Daniel A. Fleener, Jr., BA00167222, SBCBE 11-106

Hearing was held. A motion was made and seconded to place Respondent's license on indefinite probation with no right to petition for reinstatement for a period of one year, impose the \$5 Office of the Attorney General, impose a fine of \$250.00 for one count to be paid within 6 months, and impose the cost of proceedings.

Weisheit/Bonn  
6/0/0  
Motion carried.

8. Administrative Hearing in the Matter of Cheetah Nails Spa, EH31003648, MS30903442, SBCBE 11- 110

Hearing was held.  
A motion was made and seconded to impose a fine of \$1000 each to be paid for counts one and two and \$500 for count 3, to be paid within 6 months, place the license on indefinite probation with no right to petition for reinstatement for a period of 1 year, impose costs of proceedings, and impose the \$5 Office of the Attorney General fee.

Weisheit/Bushong

6/0/0  
Motion carried.

9. Administrative Hearing in the Matter of Qui C. Lam, MA29801186, SBCE 09-03

Hearing was held. A motion was made and seconded to withdraw probation.

Bonn/ Bushong  
6/0/0  
Motion carried.

10. Administrative Hearing in the Matter of Today's Nails/Tan, MS30400706, SBCE 09-02

Hearing was held. A motion was made and seconded to withdraw probation.

Bonn/Bushong  
6/0/0  
Motion carried.

### **C. Personal Appearances**

1. Nail Expo, MS30500736, SBCE 08-17

Respondent appeared.

### **D. Personal Appearances and Consideration of Application for License Renewal**

1. Richard Dan Van, MA29701428

A motion was made and seconded to approve the application for renewal of license.

Weisheit/O'Dell  
6/0/0  
Motion carried.

2. LaTasha Boyd, ES20703826

A motion was made and seconded to approve renewal of the license.

Bonn /Bushong  
6/0/0  
Motion carried.

3. Katina Haskell, BC09101270

A motion was made and seconded to approve renewal of the license on indefinite probation with no right to petition for withdrawal of probation until removal of criminal probation.

Bonn/Weisheit  
6/0/0  
Motion carried.

4. Sarah Restemayer, BC20703469

A motion was made and seconded to approve renewal of the license on indefinite probation with no right to petition for withdrawal of probation until removal of jurisdiction of the court.

Bonn/Weisheit  
6/0/0  
Motion carried.

5. Shanea Salls, BC29901552

A motion was made and seconded to deny the application for renewal of license for failure to appear.

Bonn/Bushong  
6/0/0  
Motion carried.

#### **E. Personal Appearance Regarding Future Application for Cosmetology School License**

1. Sid McQueary, Ravenscroft Beauty College

The board determined that the revised floor plan fits into the confines of the statutes and rules regulating barber and cosmetology schools.

#### **F. Possible Motion for Cease and Desist Pursuant to IC 25-1-7-14**

1. D-Loves Barber Shop, 1511 No. Arlington Avenue, Indianapolis, IN 46219

A motion was made and seconded to issue a Motion for Cease and Desist pursuant IC 25-1-7-14.

Weisheit/Bushong  
6/0/0  
Motion carried.

#### **G. Consideration of Administrative Law Judge's Orders**

1. Crystal Jamison, SBCBE 11-74
2. Tran My Ly, SBCBE 11-99
3. You & Me Spa Nails, Inc., SBCBE 11-100
4. USA Nails, SBCBE 11-101

A motion was made and seconded to affirm the Administrative Law Judge's Orders.

Weisheit/Bonn  
6/0/0  
Motion carried.

#### **H. Consideration of Administrative Law Judge's Notice of Proposed Dismissal Order**

1. LaShonda Upchurch, SBCE 07-41
2. Kristine Faurote, SBCBE 10-20
3. David Williams, SBCBE 11-62

A motion was made and seconded to issue Dismissal Order.

Weisheit/Bonn  
6/0/0  
Motion carried.

#### **I. Application for Reinstatement of Barber Shop License**

1. James Barber and Styling Shop, BS89200017

A motion was made and seconded to reinstate the license.

Barsick/Bonn  
6/0/0  
Motion carried.

#### **V. CONSIDERATION OF REQUESTS FOR WAIVER AND TRANSFERS**

##### **A. Request for Waiver of 820 IAC 4-1-5(d), Completion of Education Within Three Years Of Enrollment**

1. Pamela Adamson
2. Trenice Cobb
3. Kristian Davis
4. Briana Highsmith
5. Rachel Hudon
6. Samantha Mitchell
7. Niyoka Moore
8. Shelly Strom-Coblentz

A motion was made and seconded to approve the requests for waiver and allow them one year to graduate.

Weisheit/Bonn  
6/0/0  
Motion carried.

9. Concetta Thomas

A motion was made and seconded to approve the requests for waiver and allow them one year to graduate.

Bonn/Bushong  
6/0/0  
Motion carried.

10. Brandon DeJong

A motion was made and seconded to approve the requests for waiver and allow them six months to graduate.

Bonn/Bushong  
6/0/0  
Motion carried.

**B. Request for Waiver of 820 IAC 2-2-3(b), Sitting for Examination Within One Year of Graduation**

1. Jannie Reed
2. Hannah Talbott

A motion was made and seconded to approve the request and allow three months to sit for the exam.

Weisheit/Bonn  
6/0/0  
Motion carried.

**C. Request for Waiver of 820 IAC 2-2-3(b), Passing the Examination Within Three Years Of Graduation**

1. Fatima Reiger
2. Chaela Rogers

A motion was made and seconded to approve the request and allow six months to pass the exam.

Weisheit/Bonn  
6/0/0  
Motion carried.

**VI. GRANTING OR DENYING PETITION FOR REVIEW AND APPOINTMENT OF ADMINISTRATIVE LAW JUDGE**

**A. Andre Lewis**

Re: Timely Petition for Review of Failed Cosmetology Examination

**B. Jennifer Hogeterp**

Re: Timely Petition for Review of Denied Application for Provisional Cosmetology License

**C. Angela Avorio**

Re: Timely Petition for Review of Denied Application for Instructor License by Reciprocity

**D. Hoa Le Doan**

Re: Timely Petition for Review of Denied Application for Manicurist License by Reciprocity

**E. Mong Tuyen Nguyen**

Re: Timely Petition for Review of Denied Application for Manicurist License by Reciprocity

**F. Art Nail**

Re: Timely Petition for Review of Denied Application for Esthetic Salon License

**G. Jason Scott Palmer**

Re: Timely Petition for Review of Denied Application for Barber License

A motion was made and seconded to affirm the petitions for review and appoint D. Demuth as the Administrative Law Judge for the cosmetology cases and J. Barsick for the barber application.

Weisheit/Bonn  
6/0/0  
Motion carried.

## VII. COMMITTEE REPORTS

### A. Application Committee

A motion was made and seconded to approve the following application committee report.

Bonn/Weisheit  
6/0/0  
Motion carried.

## COSMETOLOGY APPLICATIONS

### A. By Examination:

Davis, Kristian D. - Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing in cocaine, follow statues and rules.

Sumner, Kerry - Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for Forgery, Counterfeiting, follow statues and rules.

Watson, Sara Annette – Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for sexual misconduct w/minor, follow statues and rules.

### B. By Reciprocity:

Bank, Pamela - Denied, License is not valid in another jurisdiction, IC 25-8-4-2(a)(1)

Batts Newcom, Gena – Denied, IC 25-8-4-2(a)(2), education not equivalent, apprentice education

Htay, Htay - Approved

### C. By Provisional:

Luong, Maria Factima - Approved

## MANICURIST APPLICATIONS

### A. By Examination:

Boyd, Brenda - Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for Theft, follow statues and rules.

Griffin, Shawn Marie - Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing in a schedule I, follow statues and rules.

Hale, Shelly Sue - Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for Burglary, follow statues and rules.

Lancaster, Sonja - Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing in cocaine, follow statues and rules.

Lewis, Natecia - Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing in cocaine, follow statues and rules.

### **ESTHETICIAN APPLICATION**

#### **A. By Reciprocity:**

Schmidt, Kathryn - Approved

#### **B. By Provisional:**

Sandhu, Jaswinder - Approved  
Szaflarska, Martyna – Denied, No proof of work experience and hours aren't translated in transcripts, IC 25-8-12.5-8(b)(1)

### **COSMETOLOGY INSTRUCTOR APPLICATIONS**

#### **A. By Examination:**

George, Kimberly - Tabled  
Simpson, Chelsea – Approved pending waiver application

#### **B. By Reciprocity:**

Batts Newcom, Gena - Denied, IC 25-8-4-2(a)(2), education not equivalent, apprentice education

### **BARBER APPLICATIONS**

#### **A. By Examination:**

Smith, Victor - Approved

#### **B. By Provisional:**

Henriquez, Denis - Approved

**Barber School Applications**

**A. Barber School**

The Barber Academy, 422 Spring Street, Jeffersonville, Tabled

**VIII. CORRESPONDENCE**

**A. Jonathan Murphy, Paul Mitchell Schools**

D. Demuth will contact Mr. Murphy to inquire further.

**IX. ADJOURNMENT**

The meeting was adjourned at 5:30 p.m.

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David Demuth, Chairman